

TITLE 18 ^B
TOWN OF GOSHEN
DRIVEWAY ORDINANCE

SECTION I – DEFINITIONS

1. “Town” shall mean Town of Goshen
- 1.2 “Selectmen” shall mean the Board of Selectmen of the Town of Goshen or its designee.
- 1.3 “Driveway” shall mean access for vehicles from any public or private road, paved or gravel leading to property adjacent thereto from the traveled roadway to the property line.
- 1.4 “Person” shall include any person, firm, corporation, association or partnership, limited liability company, trust or other legal entity.
- 1.5 “Road” shall mean public and private roads, streets or highways.
- 1.6 “Property owner” shall mean person or persons having legal title to the property.
- 1.7 “Construction driveway” shall mean a driveway constructed of raw materials according to the General Conditions of this Ordinance for the purpose of a temporary access to the property.
- 1.8 “Paved Driveway Apron” shall mean that portion of the driveway from the road edge to the property line or to a distance of 15 feet, whichever is greater.
- 1.9 “Temporary Access” shall mean any entrance from a public roadway to a property for the purpose of logging, construction of any type, brush clearing, well drilling, and/or septic replacements, which will be removed within six (6) months.

SECTION II - CONFORMANCE WITH THESE PROVISIONS

- 2.1 From and after the effective date of this ordinance, no person shall construct or cause to be constructed or locate or relocate or pave or repave or grade or regrade any driveway as defined in this ordinance, except in accordance with the provisions of this ordinance.

SECTION III - PERMITS & BONDS

- 3.1 No person shall construct or cause to be constructed or locate or relocate or pave or re-pave or grade or regrade a driveway in the Town without a permit issued by the Selectmen.
- 3.2 Application for such permit shall be made by the property owner on forms furnished by the Public Works Department and shall be accompanied by two sets of plot plans showing the location and dimensions of the proposed dimensions and approximate grades of the driveway at its intersection with the property line; and any easements that may have bearing upon the size and placement of the driveway. The Town shall not be liable for errors and omissions, and the results thereof,

contained in the application. Omission of the pertinent information shall be grounds for revocation of a permit or the denial of a permit application. The property owner shall sign the permit.

- 3.3 Permits shall be valid for a period of six months from date of issuance. If driveway construction is not started within six months of the date of issuance, the permit shall thereupon terminate and the property owner must reapply for a new permit. A construction driveway will be completed before any tree removal, excavation, construction or site work on the property is started. See Detail #1.
- 3.4 A Certificate of Insurance shall be submitted to the Town of Goshen by the Contractor. See Detail 4.
- 3.5 A minimum \$1,000 refundable cash permit fee shall be posted by the property owner to secure completion of the paved area and any drainage improvements required by the permit. The fee amount may be increased by any amount determined by the Board of Selectmen as necessary or desirable to secure the estimated or contracted cost to complete construction of the improvements covered by the permit. A property owner may apply in writing for a refund of the cash permit fee at the completion of the construction after inspection by the Public Works supervisor. Permits are not transferable to a new owner.
- 3.6 If construction does not conform to the provisions of this Ordinance, the Town of Goshen reserves the right to complete the necessary improvements and the permit fee will be forfeited by the property owner.

SECTION IV - GENERAL CONDITIONS OF CONSTRUCTION

- 4.1 No driveway shall be located within 50 feet of the intersection of the center lines of two or more roads. Not more than one driveway shall be constructed on the same premises unless the distance between is 50 feet or more. No driveway shall be constructed within 50 feet of another nor shall any driveway be established closer than 15 feet to a property side line except in the case of a common driveway voluntarily established by two owners on the common property lines. The aforementioned distances shall apply at the point at which the driveway enters the traveled portion of the road from the property being served. Provisions of paragraph 4.1 and 4.1.1 shall not apply to driveways entering a permanent dead-end turnaround.
- 4.1.1. The sightline along the edge of the road shall be taken at a point 12 feet back from the edge of the existing or proposed travelway at a height of 3.5 feet, sighting an object 2 feet high. The unobstructed distance in either direction shall be determined based on the following table:

Minimum Sightline Distance Table

Posted Speed (mph)	Sightline Distance (feet)
15	85
20	115
25	155
30	200
35	250
40	305

- 4.2 Driveways shall enter roads at right angles when possible and in no case shall the angle be less than 60 degrees. This shall apply for a distance of 40 feet from the centerline of the travelway. The Selectmen shall approve driveway access points on cul-de-sacs.
- 4.3 That portion of the driveway within the highway right of way shall be 10 feet wide at the property line and a minimum of 20 feet wide at the roadway edge. Where needed, driveways entering curbed roadways shall have machine-made curbs extending to the property line.
- 4.4 When determined by the Selectmen, to prevent road drainage from entering a driveway, a paved lip shall be constructed and maintained by the owner of the premises.
- 4.5 When determined by the Selectmen that the driveway will interfere with drainage, culverts with appropriate proper design, location, and capacity as determined by the Selectmen shall be installed and maintained by the owner of the premises. Selectmen may require an engineered plan of the driveway.
- 4.6 Water from a driveway must be diverted or intercepted before reaching the roadway travel path. Necessary ditches, catch basins or other devices as shall be determined by the Selectmen shall be constructed and maintained by the owner the premises.

SECTION V – PAVING PROCEDURES

- 5.1 In the area from the existing traveled portion of the highway to the property line or to a distance of fifteen (15) feet along the access, whichever is greater, any driveway paved apron abutting a Town highway shall be constructed of a minimum of two (2) inches of Class 2 bituminous concrete over (8) inches of processed gravel and four (4) inches of two-inch stone, or of other approved material. See Detail #2 This portion of the driveway shall be paved in a manner consistent with the existing road level. The driveway edge where it meets the roadway shall be cut and tack coated to meet the road depth using bituminous concrete.

SECTION VI - STATE HIGHWAYS

- 6.1 Driveways on State Highways must comply with all requirements of the State Highway Department of the State of Connecticut and required permits are obtained from the State Highway Department of the State of Connecticut.

- 6.2 Property owners of driveways on State Highways must obtain a Town of Goshen Permit for the purposes of obtaining a house number. There is no Town of Goshen permit fee for driveways on State Highways.

SECTION VII - PENALTIES AND ENFORCEMENT

- 7.1 Violation of this ordinance shall bear a penalty of \$25.00 for each offense.
- 7.2 When a violation of this ordinance is determined to exist, the Selectmen shall give notice of the violation in writing to the property owner or to the person in charge of or occupying said property. If the violation exists after 7 days following the Notice, a Citation shall be issued by the Selectmen. Each day a driveway exists in violation of the ordinance, subsequent to 7 days following issuance of the Citation by the Selectmen, either in writing to the property owner at the address set forth in the application, or by hand delivered notice to the owner or to the person in charge of or occupying said property, shall be considered a separate offense under this ordinance.
- 7.3 In addition to any other remedies, the Selectmen are authorized to prohibit access to the public highway from any driveway constructed, located or relocated in violation of this ordinance. No regular access or egress from any premises by any vehicle shall be provided except by an approved driveway.
- 7.4 No Certificate of Occupancy shall be issued by the Building Official until the driveway and any related improvements and paved apron have been constructed in accordance with the requirements of this Ordinance and inspected and approved by the Public Works Supervisor.
- 7.5 The Town of Goshen shall apply the permit fee to performance of the permitted work should the owner be in violation of this Ordinance.

SECTION VIII MISCELLANEOUS

- 8.1 Nothing in this ordinance shall require the Town to repair or improve any driveway or entrance thereto, shall render the Town liable to a property owner for failure to make said repair or improvement except where such repair or improvement is made necessary as a result of the widening, repair, maintenance, or relocation of a Town road.
- 8.2 The purpose of this ordinance is to promote safe access to and from driveways on the highways of the Town, and to regulate the discharge of surface water onto said highways. The Selectmen in their discretion may vary the strict application of the terms of this ordinance where the condition of the premises makes strict compliance with the terms of this ordinance impractical or impossible, provided, however, that any such variation shall not be inconsistent with the purposes of this ordinance.

SECTION IX – TEMPORARY ACCESS REQUIREMENTS

- 9.1 Any temporary access is for a specific purpose only such as well drilling, logging or septic replacements and must conform to requirements for a construction driveway. See Detail #1.

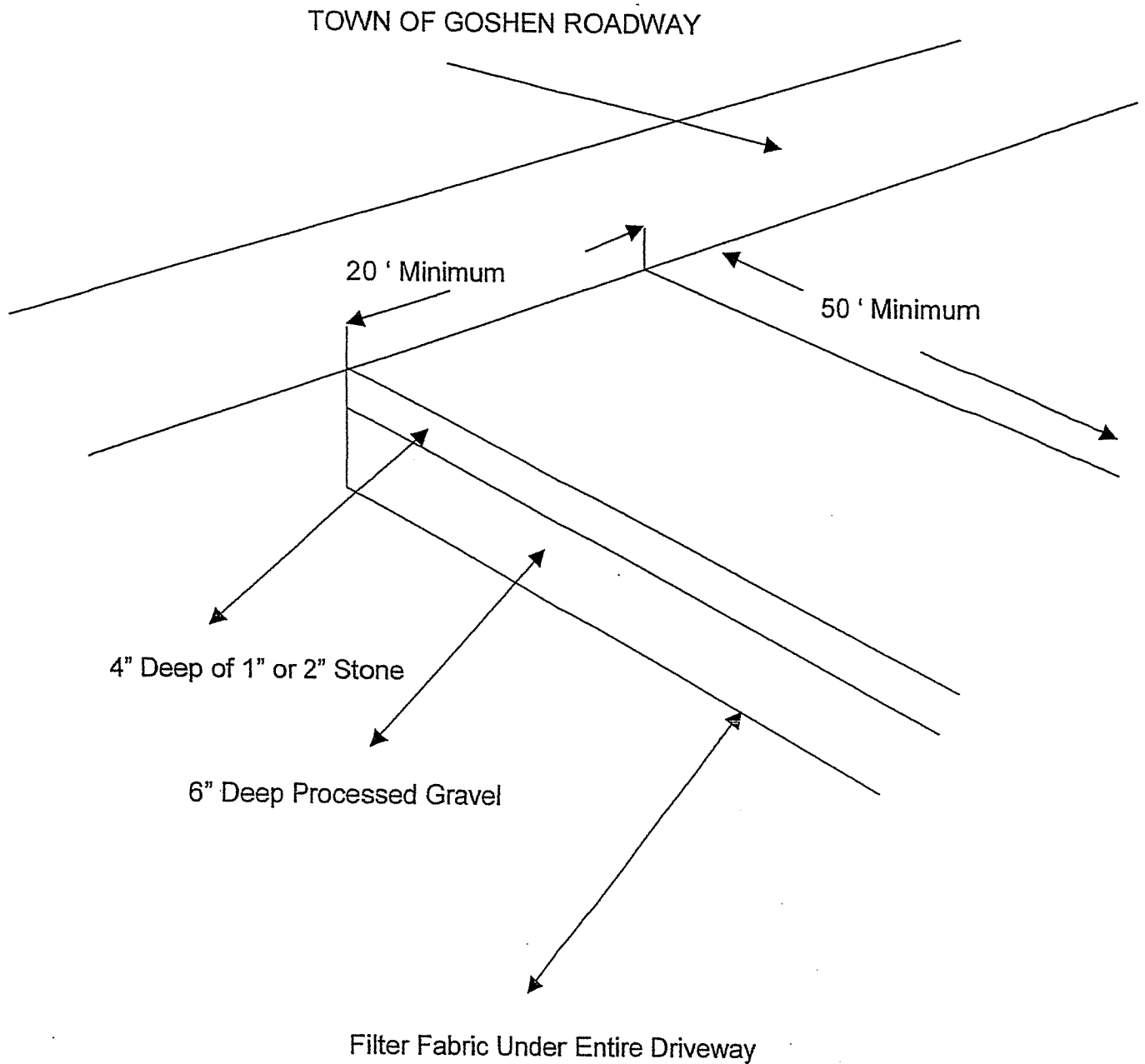
- 9.2 Any permit for a temporary access will be issued at the discretion of the Selectman for a limited period of time that will be specified on the permit.
- 9.3 Any permit will require a \$1,000 refundable cash permit fee posted by the property owner to secure completion of and subsequent removal of the temporary access. A property owner may apply in writing for a refund of the cash permit fee at the completion of the removal after inspection by the Public Works Supervisor. Permits are not transferable to a new owner.
- 9.4 At the expiration of the permit, the temporary access will be removed.
- 9.5 If removal does not conform to the provisions of this Ordinance, the Town of Goshen reserves the right to complete the necessary removal and the permit fee will be forfeited by the property owner.

SECTION X - EFFECTIVE DATE AND MANNER OF PUBLICATION

- 10.1 This ordinance shall take effect 15 days after publication of a summary of this ordinance in a newspaper having a general circulation in the Town of Goshen as provided by Connecticut General Statutes Section 7-157(b).

Adopted: February 23, 2009
Published: February 26, 2009
Effective: March 13, 2009

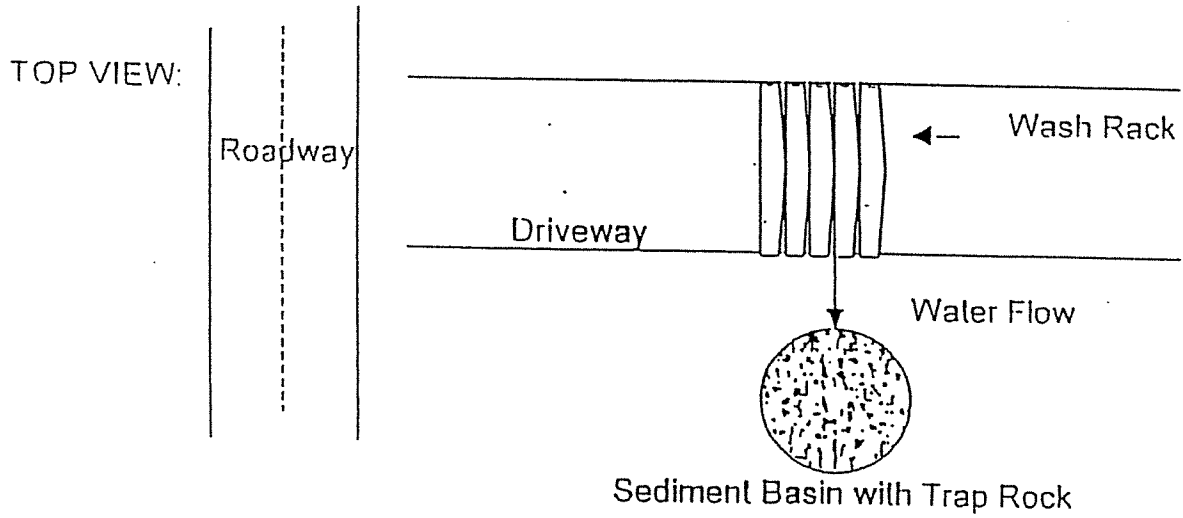
**TOWN OF GOSHEN
CONSTRUCTION DRIVEWAY OR TEMPORARY ACCESS
DETAIL #1**



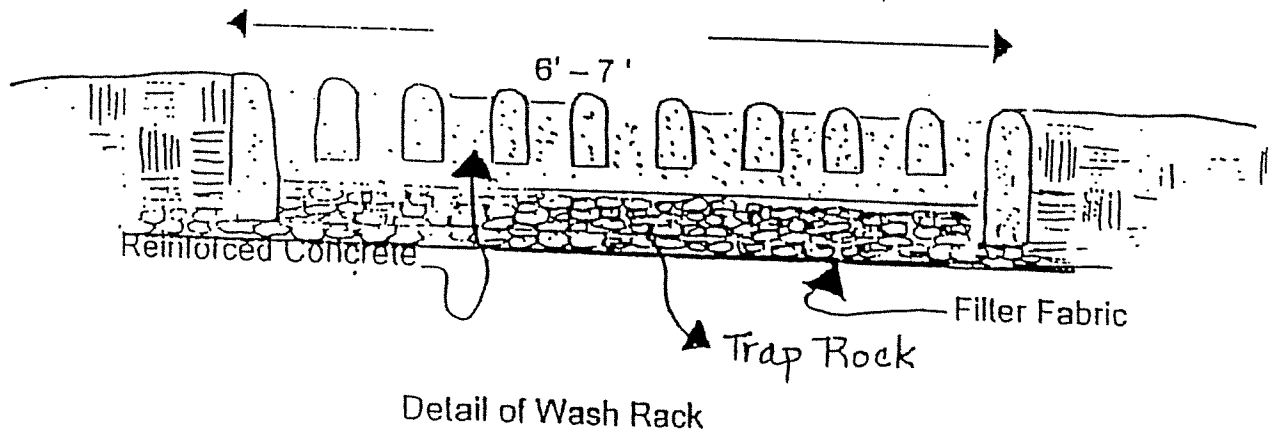
DRIVEWAY SURFACE MUST MEET ROAD SURFACE EVENLY.

Not to Scale

DETAIL #2
WASH RACK AS REQUIRED
NOT TO SCALE

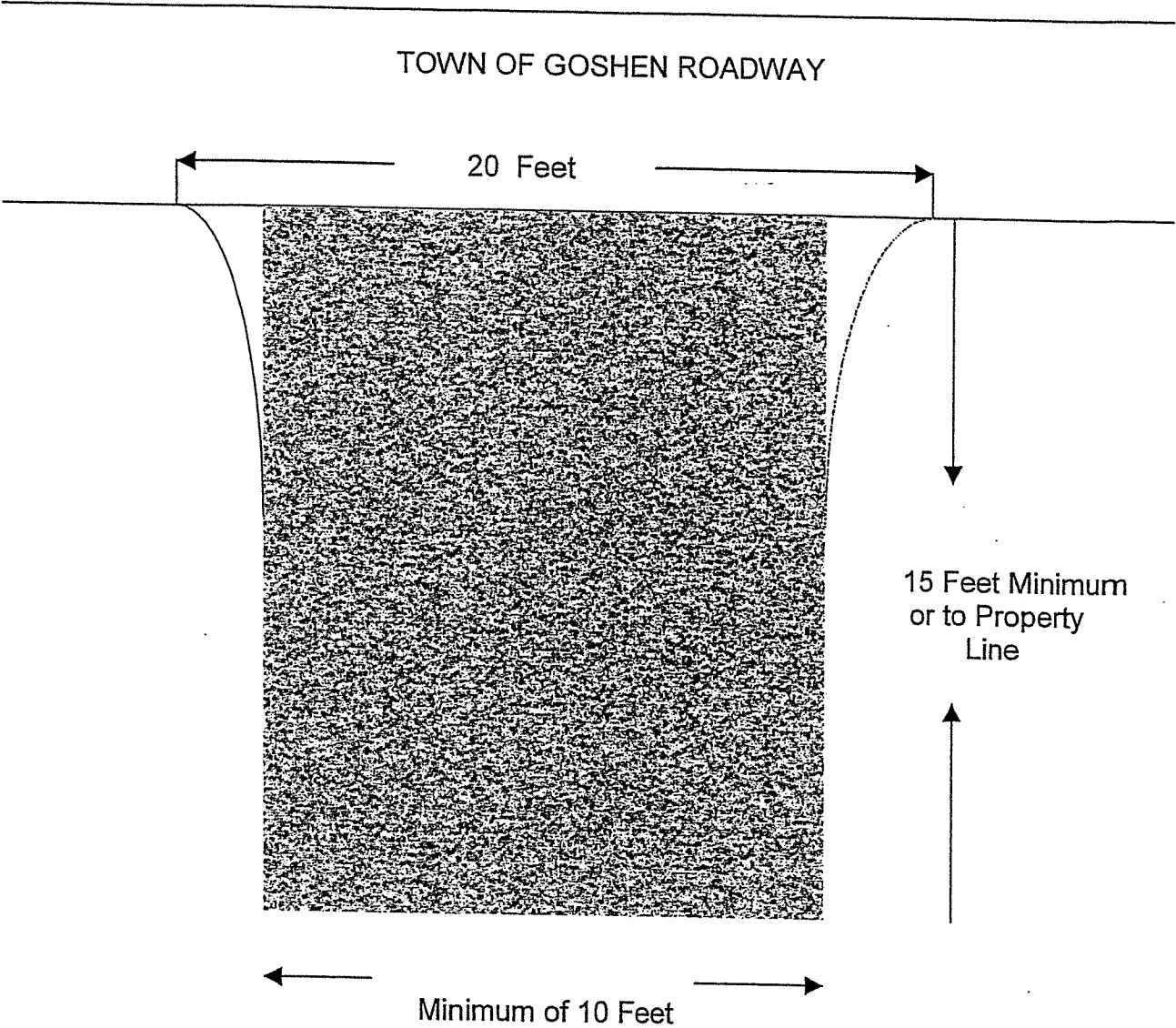


SIDE VIEW



TOWN OF GOSHEN
PAVED DRIVEWAY APRON

DETAIL #3



Not to Scale

INSURANCE REQUIREMENTS OF CONTRACTORS

Contractor shall carry the following minimum insurance coverages and a Certificate of Insurance must accompany all permit applications:

1. Statutory Workers Compensation and Employers Liability with limits of \$100,000 each Accident, \$100,000 Disease-per employee and \$500,000 Disease-policy limit.
2. Commercial General Liability (Form 1988 ISO Occurrence Form or equivalent)

Limits: \$1,000,000 - Each Occurrence for Bodily Injury and Property Damage
\$1,000,000 - Products, Completed Operations Aggregate Limit
\$1,000,000 - General Liability Aggregate* Limit
\$1,000,000 - Personal Injury

*General Aggregate MUST include per project endorsement.

Town of Goshen, it's officials, employees and volunteers, MUST be additional insured with reference to this project on a primary basis. The policy endorsement evidencing this coverage must be provided with the certificate of liability insurance.

The insurer shall waive all rights of subrogation against the Town of Goshen, it's officers, employees and volunteers arising from work performed by contractor pursuant to any permit issued by the Town of Goshen.

Umbrella limits over General Liability limits may be used to make up the required limits. The additional insured coverage MUST be provided by the Umbrella to mirror the General Liability coverage.

3. Automobile Liability covering all owned, non-owned and hired vehicles.

Limit: \$1,000,000 - Combined Single Limit for Bodily Injury and Property Damage.

Umbrella limits over Automobile Liability limits may be used to make up the required limits.

If Umbrella Liability is used to make up required limits, the policy shall not reduce or restrict coverage provided by the underlying Commercial General Liability or Automobile Liability insurance policies.

Any cancellation or reduction or material changes in insurance coverage will require thirty (30) days notice to the Town of Goshen by certified mail with return receipt requested.

Insurance carriers providing the required insurance coverages must have an A.M. Best's financial rating of "A- VII" or better.

**TOWN OF GOSHEN
APPLICATION FOR DRIVEWAY PERMIT**

PERMIT # _____ HOUSE # _____

LOCATION LOT # _____ STREET _____

TO: BOARD OF SELECTMEN, TOWN OF GOSHEN, GOSHEN, CONNECTICUT 06758

1. This application is required by a Goshen Ordinance effective 6/14/99. A copy of the Ordinance is on file with the Town Clerk. A copy is attached.
2. As per SECTION III - 3.2 of the Town Ordinance, (2) two sets of PLAT PLANS must be submitted with this application and must be of sufficient detail to show all the information that is required by this Ordinance. The plans, as filed and approved must be adhered to unless superseded by a new permit. One copy of the plans will be returned to the applicant with construction requirements. The second copy will be placed on file with the Building Official to be used with the application for the building permit.
3. It is the responsibility of the owner or his agent to design the driveway and to plan for the proper construction elevation. This is to protect the property, for which the permit is issued, from all water that may flow from adjacent Town highways or rights-of-way and to ensure that no water flows from the driveway onto the highway.
4. My signature below certifies that I have read and understand the provisions of the Ordinance and agree to comply with those provisions.

OWNERS NAME _____ PHONE # (area code) _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

DATE _____ SIGNATURE OF HOMEOWNER _____

CONTRACTORS NAME _____ PHONE # (area code) _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

DATE _____ SIGNATURE OF CONTRACTOR _____

CALL BEFORE YOU DIG # _____ PERMIT EXPIRATION DATE _____

This Application for a Driveway Permit is approved:

DATE _____ PUBLIC WORKS SUPERVISOR _____

FEE RECEIVED DATE _____ FEE AMOUNT _____ PAYEE _____

PIPE REQUIRED _____ FLARED ENDS _____

This Application for a Driveway Permit is approved:

DATE _____ ZONING ENFORCEMENT OFFICER _____

INSPECTION OF COMPLETED DRIVEWAY IS APPROVED:

DATE _____ PUBLIC WORKS SUPERVISOR _____

TOWN OF GOSHEN
APPLICATION FOR DRIVEWAY PERMIT
NON-TOWN MAINTAINED ROADS

PERMIT # _____ HOUSE # _____

LOCATION LOT # _____ STREET _____

TO: BOARD OF SELECTMEN, TOWN OF GOSHEN, GOSHEN, CONNECTICUT 08798

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OWNERS NAME _____ PHONE # (area code) _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

DATE _____ SIGNATURE OF HOMEOWNER _____

CONTRACTORS NAME _____ PHONE # (area code) _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

CALL BEFORE YOU DIG # _____ PERMIT EXPIRATION DATE _____

This Application for a Driveway Permit is approved:

DATE _____ PUBLIC WORKS SUPERVISOR _____

FEE RECEIVED DATE _____ FEE AMOUNT _____ PAYEE _____

This Application for a Driveway Permit is approved:

DATE _____ ZONING ENFORCEMENT OFFICER _____

INSPECTION OF COMPLETED DRIVEWAY IS APPROVED:

DATE _____ PUBLIC WORKS SUPERVISOR _____